

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRADLEY LASHAWN FOWLER,

Plaintiff,

Case Number: 09-10903

v.

JUDGE PAUL D. BORMAN
UNITED STATES DISTRICT COURT

THOMAS NELSON PUBLISHING, INC.,

Defendant.

/

ORDER OF DISMISSAL

Plaintiff filed a complaint on March 11, 2009, against Defendant Thomas Nelson Publishing, Inc. Plaintiff alleges that Thomas Nelson Publishing, Inc. violated the Michigan civil rights statute, the Elliot-Larsen Act, Mich. Comp. Laws 37.2701, *et seq*, and the First Amendment of the United States Constitution by publishing two versions of the Bible; Plaintiff is offended by the fact that one Bible contains a passage that states that homosexuals will not inherit the kingdom of God, yet the same passage in the second Bible does not include homosexuals in the list of person who will not inherit the kingdom of God. Plaintiff also filed a petition to proceed *in forma pauperis*.

“[A] district court may, at any time, *sua sponte* dismiss a complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure when the allegations of a complaint are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.” *Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999). The Court finds that Plaintiff’s complaint is, on its face, totally implausible, frivolous and devoid of merit.

Accordingly, the Court **DISMISSES** this action pursuant to Rule 12(b)(1), and **GRANTS**

Plaintiff's application to proceed *in forma pauperis*.

SO ORDERED.

S/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: April 8, 2009

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on April 8, 2009.

S/Denise Goodine
Case Manager